

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



November 24, 1987

ALL-COUNTY INFORMATION NOTICE NO. 1-106-87

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY COUNSELS

SUBJECT: AB 1733 AND HANSEN v. McMAHON

REFERENCE: ACL 86-60 AND ACL 86-77

On September 30, 1987, the Governor signed Assembly Bill (AB) 1733 (Chapter 1355) to provide homeless assistance in the form of a nonrecurring special needs allowance for the costs of temporary shelter to qualifying Aid to Families with Dependent Children (AFDC) applicants and recipients. AB 1733 also amends Welfare and Institutions Code (WIC) Section 16501 to specify that child welfare services emergency shelter care is available only for the purpose of providing shelter for children following removal from their families when these measures are necessary to protect the children from abuse, neglect, or exploitation.

AB 1733 will become operative on February 1, 1988 if the State Director of Social Services determines that the Federal Government has approved Federal Financial Participation in the payments. Implementation of the bill, however, is contingent on the promulgation of emergency regulations governing the provision of homeless assistance to AFDC applicants and recipients.

If the statute does become operative February 1, 1988, it will clarify that emergency shelter care services pursuant to WIC 16501 are available only for abused/neglected children, and render moot the provisions of the preliminary injunction issued in Hansen v. McMahon. The Department will then go back to court to vacate the injunction. Until that time, however, the provisions of the preliminary injunction in the Hansen v. McMahon lawsuit remain in effect and counties must continue to adhere to instructions contained in ACL 86-60 and ACL 86-77.

We will keep you informed as further developments occur. If you have any questions regarding this matter, please contact Mr. Ritch Hemstreet, Chief, Family and Children's Services Policy Bureau at (916) 322-6333.



LOREN D. SUTER
Deputy Director
Adult and Family Services

cc: CWDA